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13 Attorneys for Defendants  
14 CIPHERGEN BIOSYSTEMS, INC.,  
15 WILLIAM E. RICH and MATTHEW J. HOGAN

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

19 JACK COHEN, on behalf of himself and all  
20 others similarly situated,

21 Plaintiff,

22 vs.

23 CIPHERGEN BIOSYSTEMS, INC., WILLIAM  
24 E. RICH and MATTHEW J. HOGAN,

25 Defendants.

) CASE NO.: C-05-4997-MHP

) **STIPULATION & [REDACTED]**  
) **ORDER FOR CONTINUANCE OF**  
) **INITIAL CASE MANAGEMENT**  
) **DEADLINES AND EXTENSION**  
) **OF TIME FOR DEFENDANTS TO**  
) **RESPOND TO THE COMPLAINT**

) Hearing Date: n/a

) Hearing Time: n/a

) Courtroom: The Hon. Marilyn H. Patel  
) Ct. No. 15, 18<sup>th</sup> Floor

26 WHEREAS, defendants CIPHERGEN Biosystems, Inc., William E. Rich and Matthew J.  
27 Hogan ("Defendants") have been named as defendants in this action for alleged violations of the  
28 Federal Securities Laws, individually and on behalf of all others similarly situated;

WHEREAS this action is subject to the provisions of the Private Securities Litigation  
Reform Act of 1995, pursuant to which the Court will designate a Lead Plaintiff in accord with  
15 U.S.C. § 78u-4(a)(3)(B); and

STIP & [PROP] ORDER FOR CONTINUANCE  
OF INITIAL CASE MANAGEMENT DEADLINES  
AND EXTENSION OF TIME FOR DEFENDANTS  
TO RESPOND TO THE COMPLAINT  
CASE NO. C-05-4997-MHP

WHEREAS the parties to this stipulation wish to avoid premature and potentially unnecessary motions prior to the designation of Lead Plaintiff;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that Defendants are not required to respond to the complaint in this action, or any action consolidated into this action, other than a consolidated complaint or a complaint designated as the operative complaint by Lead Plaintiff, until forty-five (45) days after service or designation as such, unless otherwise agreed upon by the parties.

IT IS FURTHER STIPULATED AND AGREED by and between the undersigned that, with the Court's permission, the initial case management deadlines set forth in the Court's December 5, 2005 Order Setting Initial Case Management Conference shall be VACATED. The Initial Case Management Conference shall be continued until 35 days after the determination of Defendants' motion to dismiss the consolidated complaint or complaint designated as the operative complaint by Lead Plaintiff, or as soon thereafter as is consistent with the Court's calendar. Not less than 14 days before the Initial Case Management Conference the parties shall (A) submit a joint case management statement and Rule 26(f) Report, (B) file a joint ADR Certification with Stipulation to ADR process or Notice of Need for ADR Phone Conference, and (C) complete initial disclosures or state objections in the Rule 26(f) Report. Not less than 21 days before the Initial Case Management Conference the parties shall meet and confer regarding initial disclosures, early settlement, ADR process selection, and the discovery plan.

Dated: December 20, 2005

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By: /s/ Caz Hashemi  
Caz Hashemi

Attorneys for Defendants  
CIPHERGEN BIOSYSTEMS, INC., WILLIAM E. RICH  
and MATTHEW J. HOGAN

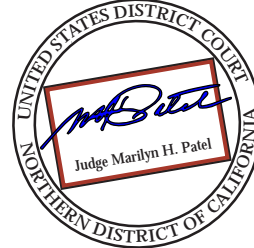
1 Dated: December 20, 2005

KAPLAN FOX & KILSHEIMER LLP

2  
3 By: /s/ Linda Fong  
Linda Fong

4 Attorneys for Plaintiff JACK COHEN

5  
6 **IT IS SO ORDERED**



7  
8 Dated: 12/21/05

9  
10 MARILYN HALL PATEL  
UNITED STATES DISTRICT JUDGE

1 I, Caz Hashemi, am the ECF User whose identification and password were used to e-file  
2 the STIPULATION AND [PROPOSED] ORDER FOR CONTINUANCE OF INITIAL CASE  
3 MANAGEMENT DEADLINES AND EXTENSION OF TIME FOR DEFENDANTS TO  
4 RESPOND TO THE COMPLAINT on December 21, 2005. I attest that I have on file records  
5 supporting the concurrence in this filing of the other signatories whose signatures are indicated  
6 by a "conformed" signature (/s/) within this e-filed document.  
7

8 Dated: December 20, 2005

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

9 By: /s/ Caz Hashemi  
10 Caz Hashemi

11 Attorneys for Defendants  
12 CIPHERGEN BIOSYSTEMS, INC., WILLIAM E. RICH  
13 and MATTHEW J. HOGAN  
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